

**REMARKS**

In accordance with the above amendments, claims 26 and 38 have been canceled, claims 27, 36-37 and 39-40 have been amended and claims 28-33 and 42 have been withdrawn from consideration. All claims canceled or withdrawn from consideration have been done so without prejudice and applicants reserve the right to pursue in continuing or divisional applications. Thus, claims 22-25, 27, 36-37 and 39-41 remain under consideration in this application. No claim stands as having been allowed.

The first full paragraphs on pages 9 and 13 have been rewritten to overcome typographical errors. It is believed these should overcome the objections to the disclosure enumerated in item 2 of the Official Action.

The objection to claim 38 under 37 C.F.R. 1.75(c) has been rendered moot by the cancellation of that claim.

The amendments to claims 36 and 37 are believed to overcome the rejections under 37 U.S.C. §112. The "desired level of mechanical properties" has been amended to -- sufficient physical workability -- and (wt.) has been added to the percentage N in claim 36. In claim 37, (wt.) has been added (that is, has been added as necessary) and in line 1 of part (b), "non-energetic" has been added to define the plasticizer.

The rejection of claim 36 under 35 U.S.C. §102(b) based on Pluniguian (USPN 3451883) is believed also to have been rendered

moot by the further amendment to claim 36 removing "diisobutyl adipate" from the claim.

The rejection of claims 22-27, 34-38 and 40 under 35 U.S.C. §103(a) as being unpatentable over Dunigan et al. (USPN 3711343) in view of Elrick (USPN 4029529) and Plunguian (USPN 3451883) and Yunan (USPN 5187320) is respectfully traversed. For reasons of record and it is noted that at page 7 of the Action, 12.6%N is stated as being greater than 13.15%N as claimed in the present application. This is not understood. It should be noted that the formula of the present invention is not claiming a higher percentage of nitrocellulose but, instead, nitrocellulose having a higher percent N, which Dunigan et al. does not disclose. As indicated, none of the references recognize or suggest that the plasticizers of the present invention have particular significance with respect to plasticizing high nitrogen nitrocellulose which, itself, is insoluble in the conventional solvent for nitrocellulose (ether), but which is readily dispersed by the plasticizers of the invention in combination with acetone.

Likewise, the rejection of claims 39 and 41 under 35 U.S.C. 103(a) as being unpatentable over the above-combination of four patents further in view of Dillehay et al. (USPN 5565150) is also respectfully traversed. The addition of Dunigan et al. is not believed to overcome the basic efficiencies in the combination of art cited with respect to the other claims, as the present claims

are believed to be fundamentally patentable over the combination of references cited.

In view of the above amendments taken together with the remarks herein, applicants request that the present amendment be entered and the rejections reconsidered and withdrawn. In the event that the Examiner is not disposed to allow the claims, entry of the amendment is requested inasmuch as it will clearly reduce the issues for taking an appeal.

Should minor issues remain which, in the opinion of the Examiner, can be resolved by a telephone interview, she is asked to contact the undersigned attorney at his convenience to discuss in an attempt to resolve same, thereby expediting prosecution of this application.

Respectfully submitted,

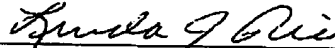
NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Reg. No. 26205  
Attorney for Applicant  
820 International Centre  
900 Second Avenue South  
Minneapolis, MN 55402  
(612) 339-7461

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Amendment in response to the Final Official Action of March 20, 2006, and a Transmittal Letter in application Serial No. 09/673,230, filed on October 12, 2000, of William J. Worrell, Jr. et al, entitled "DINITROTOLUENE (DNT)-FREE SINGLE BASE PROPELLANT" are being sent by facsimile transmission to: Mail Stop AF, The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on May 19, 2006.



Linda J. Rice  
On Behalf of C. G. Mersereau  
Attorney for Applicant

Date of Signature: May 19, 2006